

REMARKS

Reconsideration of the issues raised in the above-referenced Office Action is respectfully solicited.

Applicants appreciate the indication of allowable subject matter in Claim 2.

The rejection of Claims 1, 3 and 4 under 35 USC §102(b) as being anticipated by Weiss, U.S. Patent No. 5 501 253 has been considered.

Weiss discloses an apparatus for filling vessels with liquid having a tank 2, valve body 7, liquid valve 8 and seal 37 for filling a bottle 1. A gas conducting tube 9 acting as an exhaust passage, extends downwardly through and moves vertically along the axis of the valve body 7. Weiss discloses an obliquely angled duct 27 entering the liquid valve 8. The duct 27 leads to a snifter valve 28 and to a cleaning valve block 31. Near the seal 37, a spreader 55 spreads the liquid passing through the valve 8 outwardly and into the bottle 1 while the gas conducting tube 9 acts as an exhaust passage to enable the flow of liquid. Fill level sensor 10 extends outwardly from the gas conducting tube and detects liquid in the bottle.

Applicants filling valve 1 includes a valve housing 2 formed with a liquid passage 4 having a filling nozzle 31 at its lower end. A liquid valve 8 opens or closes the liquid passage. A mouth packing unit 32 seals the top of a vessel to the valve housing 2. An exhaust passage 44 formed in the valve housing and disposed outside of an opening of a filling nozzle 31 exhausts gas from within the vessel during a filling operation. The filling nozzle 31 is maintained above the elevation of the liquid level in the vessel during the filling operation.

Applicants' exhaust passage 44 formed in the valve housing differs entirely from the exhaust passage defined by gas conducting tube 9 extending through stem 15 of Weiss.

Further, Applicants' amended Claim 1 recites "an exhaust passage formed in the valve housing for exhausting a gas from within the vessel during a filling operation". As discussed

above, the exhaust passage of Weiss extends through the stem 15 and not through a valve housing.

Claim 1 further recites that "the exhaust passage has an opening disposed toward the vessel which is disposed outside of an opening of the filling nozzle". This feature differs entirely from Weiss which discloses the duct 27 opening in the filling nozzle.

For the above reasons, independent Claim 1, and Claims 2-4 dependent therefrom, distinguish Weiss. Further, dependent Claim 4 recites that "the filling nozzle has a nozzle liquid passage which is tapered in the downward direction". The float or nozzle 56 of Weiss appears to be essentially a straight liquid passage that meets a spreader 55 for spreading liquid radially and outwardly toward an inner rim of a bottle.

Added Claims 5-15 also distinguish Weiss. For example, independent Claim 5 recites "an exhaust passage formed within the valve housing for exhausting a gas from the vessel during a filling operation". As discussed above, this feature is not present in Weiss.

Independent Claim 5 further recites that "the opening of the exhaust passage is maintained above the elevation of the vessel during a filling operation". Weiss shows the conducting tube extending into the bottle so that the tube end is lower than the liquid level.

Applicants' Claim 7 recites that "the liquid valve for opening or closing the liquid passage is free from passages or a vent tube extending therethrough". This feature differs from Weiss which discloses a gas conducting tube 9 extending through the entirety of the length of the liquid valve.

Applicants' Claim 8 recites that "the liquid valve comprises a solid rod axially movable along a longitudinal axis of the valve housing". This feature differs from Weiss, which discloses a gas conducting tube 9 extending through a hollow rod member.

Applicants' Claim 9 recites that "the filling nozzle comprises a single opening that is shaped to enable liquid to flow into a center of a vessel". This structure differs entirely from the nozzle of Weiss, which includes a spreader

55 for spreading liquid outwardly onto an inner rim of a bottle 1 to be filled.

Applicants' Claim 11 recites that "the opening of the snift passage is disposed outside of the opening of the filling nozzle". Weiss discloses a duct 27 opening directly into the throat 56 of a filling nozzle.

Applicants' independent Claim 12 recites a first passage and a second passage formed in the valve housing. Claim 12 further recites that the opening of the first passage "is disposed outside of the opening of the filling nozzle". As discussed above, Weiss discloses a duct 27 that opens into the throat 56 of the filling nozzle. Weiss shows no area separate from the filling nozzle as compared to Applicants' claimed arrangement.

Applicants' Claim 13 further recites that "the first passage comprises an exhaust passage for connecting to a headspace of a liquid tank for filling". As discussed above, the duct 27 of Weiss does not act as an exhaust passage, much less connect to a head space of a liquid tank 2.

For the above reasons, Claims 5-15 distinguish Weiss.

Allowance of Claims 1-15 is respectfully requested.

Further and favorable reconsideration is respectfully solicited.

Respectfully submitted,



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